



CITY OF BURLINGTON

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CITY OF BURLINGTON
Committee of the Whole Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Tuesday, January 16, 2018

1. **Call to Order - Roll Call**

Mayor Hefty called the meeting of the Committee of the Whole to Order on Tuesday, January 16, 2018 at 6:30 p.m. starting with Roll Call. Present: Kott, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, Bauman. Excused: None.

Student Representatives Present: Gabriel King, Jack Schoepke. Excused: None.

Also present: City Administrator Carina Walters, City Attorney John Bjelajac, Director of Administrative Services Megan Watkins, Director of Finance Steve DeQuaker, Lt. Brian Zmudzinski, Building Inspector Gregory Guidry, and DPW Director Peter Riggs. Also in attendance: Gregory Governatori, Kapur and Associates.

2. **Citizen Comments**

3. **Approval of Minutes**

A motion was made by Alderman Grandi with a second by Alderman Vos to approve the December 19, 2017 Committee of the Whole meeting minutes. With all in favor, the motion carried.

4. **PRESENTATIONS:**

A. **Presentation of the Burlington Business Toolbox created by the Downtown Strategic Plan Design & Profile Committee.**

Megan Watkins presented the Burlington Business Toolbox and explained that this was developed as a "how to" guide to help business and property owners navigate City policies, procedures, and financial incentives to assist with starting and/or expanding a business. Watkins further stated that the next step is to meet with real estate professionals, developers, and financial institutions.

Alderman Schultz commented that he thought the business toolbox document was awesome and suggested that specific names and phone numbers be omitted as that information could change and keeping it more generic would decrease the need to for constant revisions.

Alderman Johnson commented that the report was very comprehensive and included everything it needed to.

Alderman Grandi suggested researching additional avenues for distribution.

Alderman Preusker suggested to not list specific businesses as those could change as well.

B. Emerald Ash Borer Plan Update

Peter Riggs explained the 5 year management plan that was originally created in 2013 to combat the Emerald Ash Borer epidemic. Riggs stated ash trees were treated in 2014-2016, but the treatments effectiveness didn't meet the expectations of preventing declining tree health, and as a result, a decision was made to not invest resources into treatment and focus instead on the growing list of priority removals. Riggs then reviewed the 2018 plan and presented the options of either continuing to use in-house removal of the trees, or bid out to private tree contractors, which would cost more, but speed up the timeline for the removals.

Alderman Schultz inquired what the cost per year would be for in-house removal. Riggs responded that the cost per year is broken down through 2021, which means each budget year \$28,000 would need to be allocated, which is the total contract cost divided by the number of years.

Alderman Grandi asked about replanting costs and if there was money budgeted for that in 2018. Riggs stated that \$23,000 has been allocated in the Forestry Budget.

Mayor Hefty asked how large are the trees that are replanted. Riggs responded that the replanted trees average about 2-3 inches in diameter and about 6 feet tall.

Alderman Schultz suggested having a separate discussion on the philosophy of how to decide where and to whom trees should be replanted and to have a 5 year goal in order for Council to determine how much should be allocated towards the budget.

Alderman Bauman stated that he thought the budget was doubled for this project. Walters responded that the budget was doubled for a total of approximately \$50,000 but it's split into two areas within the budget.

Walters stated that based on the budget workshops, Council asked staff to bring forward this tree update presentation to outline what has already been done, what are the recommendations, and what are the steps to move forward and that this presentation is a stepping stone for future discussions.

Alderman Preusker stated that he felt this project should be outsourced considering the City doesn't have the resources to keep up with it by staying in-house and there should be a new five-year plan, including a reforestation plan and suggested offering homeowners a discount if they choose to replace their own trees or apply special assessments similar to the sidewalk projects.

5. DISCUSSION:

A discussion regarding an expansion to the Burlington Area Manufacturing and Office Park (BMOP).

Walters explained that the BMOP expansion has been in planning for the past two years for future long term development and the surrounding property owners have been contacted in respect to future long term development. Walters stated that the next steps involve creating a timeline with all of the various stakeholders that need to be included in the next steps. Walters then introduced Tanya Fonesca from Graef to further explain the plan for the BMOP area. Fonesca explained that the plan is conceptual and is an overall snapshot with flexibility built in and proposed there be an amendment to the comprehensive plan in order to give this plan a little more teeth, which will allow incoming proposals to be in line with future plans for the

area. Fonesca further explained that expanding the BMOP was discussed prior to the announcement of Foxconn and includes the need for more businesses and manufacturing space, as well as integrating residential needs into the plan.

Alderman Schultz inquired about the Comprehensive Plan and what that does to add "teeth" to this project. Fonesca responded that whenever someone comes forward with a plan, it is reviewed against the Comprehensive Plan to see if it's consistent with the overall plan and if it's not consistent, the applicant is requested to submit an amendment to the Comprehensive Plan, which is then reviewed to see if the amendment makes sense for the future of the community. Fonesca further stated that Comprehensive Plans are done every ten years and are a longer range plan that encompasses short term plans but also projects long term plans 20-30 years out. Amendments allow for changes that might have been overlooked or not thought of at the time; however, because this is a Multi-Jurisdictional County Plan and not just a stand alone City plan, this amendment would cater more specifically to the City, which in essence gives "teeth" in the respect that it's consistent and can move forward so long as the proper approvals are received.

Alderman Dawidziak inquired about this becoming a TID and assumed the infrastructure in the BMOP would be included but wanted to know how this might affect the residential portion. Walters responded that if a TID were created, it would be all encompassing and would be negotiable between the City, contractors and property owners, as well as to consider the best financial opportunity for the City. Dawidziak stated that there are other existing under developed sub-divisions and was concerned about setting a precedence. Alderman Preusker suggested the City consider an infrastructure policy. Fonesca explained that generally a mixed-use TID has a set allocation of incentives that can go to the residential areas, which she believed to be 30% of the land area.

Walters explained that this conceptual plan is a 5-25 year plan of what this corridor could look like and the financial mechanisms for future growth needs to be looked at, including both industrial and additional residential properties. Alderman Kott asked how many homes might be projected in this area. Walters responded that it could be as many as 150 lots.

Alderman Grandi asked what the next steps would be. Fonesca replied that once details are finalized, the plan would first be submitted to Plan Commission for approval, then Council for their approval, and then finally would be submitted to Racine County as an amendment to the Comprehensive Plan, all while simultaneously working with Ehlers, Inc. to plan for the Tax Increment District.

Steve Rauch, 333 Oakland Avenue, Burlington, Wisconsin, recommended that soil borings be done to determine the quality of soil and whether or not it's good to build on, prior to moving to far forward with this plan. Walters responded that everything is still in planning and there are many contacts that still need to be made.

6. **RESOLUTIONS:**

- A. **Resolution 4875(33)** - to consider approving a Letter of Engagement from Sitzberger for 2017 Audit Services.

Stever DeQuaker reviewed the background history regarding auditing services with Sitzberger CPA's and Advisors, which was recommended by the City's long term auditor Patrick Romenesko. DeQuaker stated that Romenesko would be one of the auditors, due to his knowledge and 30 plus years of performing the City audit. DeQuaker stated that the cost of audit services would be the same \$35,000 fee that Romenesko would have charged for completing the audit.

- B. **Resolution 4876(34)** - to consider approving the award of bid for 10 Electronic Control Devices, 20 holsters, and a 5-year supply of training and duty cartridges and batteries for the City of Burlington Police Department to Axon Enterprise, Inc. in the amount of \$21,432.36.

Lt. Zmudzinski explained that the current equipment is outdated and failing and needs replacement and has been budgeted for in the 2018 Equipment Replacement Fund. Zmudzinski stated that although this was sent out for bid, Axon was the only submitted bidder, as they are specialized in this type of equipment and that the bid came in below the budgeted amount of \$22,612.

Alderman Schultz asked how often tasers are discharged by the police officers. Zmudzinski responded they are used approximately 25-40 times throughout the year and is the greatest tool for compliancy.

- C. **Resolution 4877(35)** - to consider approval of a Certified Survey Map for property located at 100 S. Dodge Street and 124 S. Dodge Street.

Prior to discussion, Alderman Dawidziak recused herself from the discussion in accordance with the ethics guideline due to her affiliation with the realty firm working on this project.

Gregory Guidry explained that this resolution is seeking approval of a Certified Survey Map (CSM) application from Casey's Marketing Company, which seeks to combine two lots into one parcel so that the owner can construct a convenience store and gas station. Guidry stated that Plan Commission has approved this CSM.

Alderman Preusker voiced concern about flooding and other potential disasters considering its location to the train tracks and questioned if there may be a better location for them to consider. Mayor Hefty stated that her main concern was safety as well but has been reassured that this will be a state inspected project, and there will be auto shut-off valves and double layered tanks; Kapur will be conducting inspections as well. Hefty stated that she feels more at ease with this information and is also pleased with the well-blended design of the building they have submitted.

Lauren Downing, ARC Design Resources - Civil Engineer and Surveying Consultant for Casey's, stated that the grading has been looked at based on the most recent post flood elevations and the proposed building is 3.5 feet above the 100 year base flood elevation.

Alderman Grandi stated that this property is located in a Flood Fringe Overlay District (FFO) and inquired as to the requirements for building above flood grade. Greg Governatori, Kapur, stated that this property is shown in the 500 year flood district and is typically not regulated by the FFO. Alderman Grandi asked if Casey's has any experience with building gas stations in FFO's, flood districts or in close proximity to trains. Downing responded that Casey's has researched any possible history regarding this and no information or specific examples were found. Downing further stated that the setbacks for this building are further back than other surrounding properties. Governatori added that according to CN Railway, setback requirements for tanks are 25' and the Casey's tanks are closer to 75' and that CN cited no concerns.

Alderman Schultz stated that these are all great questions, however, the City can't be paralyzed by exceptionally unlikely events, and that Casey's has more than provided adequate answers and thinks this is a great project. Alderman Grandi agreed, however questioned if this is this best use for the property. Alderman Vos responded that this is not City property, it's the sellers. Alderman Bauman added that this has been a vacant property for quite awhile and the owner can sell to whomever they want; and if Casey's has done their due diligence and is willing to invest a large amount of money in our community, then they should be allowed to do so.

7. **ORDINANCES:**

- A. **Ordinance 2031(8)** - to consider an approval of a Rezone Map Amendment request for property located at 100 S. Dodge Street and 124 S. Dodge Street from B-1 District and M-1 District to B-2 District.

Gregory Guidry explained that this is the second item regarding Casey's Marketing Company.

There was no further discussion.

8. **MOTIONS:** There are none.

9. **ADJOURNMENT**

A motion was made by Alderman Dawidziak with a second by Alderman Vos. With all in favor, the meeting adjourned at 7:57 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
City Clerk
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